

MUST STOP REBATES FOR RATE INCREASE

Railroads Warned by Interstate Board Against Granting Allowance.

INQUIRY WILL BE MADE

Advance Will Not Be Considered Before Practice Is Suppressed.

WASHINGTON, Feb. 3.—The Interstate Commerce Commission has determined to make an inquiry into the practice of the carriers granting allowances and free service to certain classes of shippers before it will grant the 5 per cent. increase asked by the railroads.

The importance of this announcement consists in the fact that it means further delay in the settlement of the application of the railroads for an increase. It also indicates clearly a state of mind on the part of the commission which forebodes a rigid inquiry into every phase of the advance rate question.

While the commission specifically states that its action in ordering the new inquiry should not be taken to indicate that the carriers must necessarily adopt this means of increasing their incomes, the opinion is rapidly gaining ground in Washington that this is the attitude toward which the commission is leaning.

Rebates to Steel Industry Suppressed

It was only a few days ago that the commission handed down a decision holding that certain allowances granted by the railroads to the iron and steel industry, chiefly the large shippers like the steel trust, were in the nature of rebates. The commission ordered these allowances suppressed, and in so doing is estimated added \$15,000,000 a year to the income of the railroads. In announcing that decision the commission said:

"Before they [the railroads] may fairly ask the general public to share further in carrying their burdens it is manifest that the railroads must themselves properly conserve their sources of revenue by making every service rendered by them contribute reasonably to their earnings."

Commissioner Harlan handed down today's announcement. It says in part:

"In the order of the commission instituting the proceeding the first question of inquiry is:

"Do the present rates of transportation afford adequate revenues to common carriers by railroads operating in official classification territory?"

"Upon that question the carriers have submitted of record many exhibits and have supplemented them by oral testimony. These exhibits show a substantial increase in the rate and aggregate amounts of taxes assessed upon the several properties of these carrier companies by the various States through which their rails extend. They also show a substantial increase during the last few years in the rate and aggregate amounts of wages paid by the several railroads to their employees. The exhibits, together with the testimony already submitted, tend to show a diminishing net revenue and a diminishing net income.

Investigation Not Completed.

"The carriers, however, have not yet submitted all the evidence and testimony which they desire to offer in order to show a present inadequacy of revenues. Moreover, their witnesses have not yet been cross-examined; certain independent inquiries of the Interstate Commerce Commission have not yet been completed; and many shippers who have interested themselves in the inquiry and are affected by the proposed increase in rates have not yet been afforded an opportunity to be heard. Under these circumstances, and in view of the full hearing required by law and of the desire of the commission to be fully advised with respect to all sides of the important question involved in the proceeding, it is manifestly too early to draw any final inferences or to reach final conclusions on the record as it now stands.

"On the assumption that their evidence and testimony when fully presented will demonstrate that their revenues are not adequate, the carriers, as a solution of the situation, have proposed a general increase in the rates. The increases suggested by them are commonly referred to as a general increase of 5 per cent. As a matter of fact, although some of the proposed rates are slightly less than 5 per cent. higher than the present rates, on the other hand some of them are as much as 50 per cent. higher than the existing rates.

Large Allowances Made.

"The investigation recently completed into the relation of carriers to plant railways controlled by industries in official classification territory disclosed large allowances made by carriers directly or indirectly to the industries in the form of (a) discounts out of the rates; (b) per diem allowances; (c) remission of demurrage; and (d) various allowances.

"The aggregate amount of the allowances and discounts of the carriers in official classification territory were estimated in that report to deplete the carriers' revenues by not less than \$15,000,000 a year. Action was early taken by the carriers forthwith to abolish all such illegal allowances and free services.

"I shall not venture to make any definite estimate in figures as to what it costs the carriers to render these services, or any estimate of the revenues that would accrue to them for the services rendered if the charges for such services were reasonable. No well informed person, however, can doubt that the discontinuance of these free services will save the carriers millions of dollars of expense annually, nor can any well informed person doubt that if such service should be measured in relation to its cost and its value and the general conditions surrounding it, and should then be made to contribute on a reasonable basis to the revenues of the carriers performing it, the income of the carriers would be increased by many millions of dollars a year.

Immediate Consideration Needed.

"To the extent therefore that these services may justly be said to account for the contribution to any inadequacy in the revenues of the carriers, to that extent it would seem to follow that the proposed increase in rates means that the general shipping public must accept increased rate burdens in order that the carriers may continue without charge to render these valuable and costly services to a relatively small number of shippers. The propriety, therefore, under existing circumstances of discontinuing the performance of these special services without charge is manifestly a matter that should receive immediate consideration.

"In making these observations it must be understood that the commission is not expressing the means of indicating that the carriers must adopt this method of increasing their income and may not adopt another method. Nor must it be understood from what has been said that I am recommending any definite action of the commission on this question of free services.

"At an early day, therefore, it is the purpose of the commission to set for hearing the question of the propriety of making reasonable charges for the free services that I have described, and more particularly for the services of spotting cars on private spur and switch tracks."

CUMMINS BALKS SENATE POLL.

Hails Scheme to Confirm Interstate Commerce Nominations.

WASHINGTON, Feb. 3.—An effort was made in the Senate today to poll the Interstate Commerce Committee and in that way get an early and favorable action on the nominations of Winthrop More Daniels of New Jersey and Henry Clay Hall of Colorado as Interstate Commerce Commissioners was balked by Senator Cummins.

Mr. Cummins notified Senator Newlands and Senator Shafroth, who were making the poll, that he would insist that the two nominations take the regular course. There is dissatisfaction on the Republican side with the two nominations. The objections do not go to the personal fitness of the men, but are based on a belief that they have not had sufficient experience with transportation questions in a national way.

Senator La Follette, who has been defeated at his home in this country by illness since the holidays, sent word today to his colleagues on the committee that he desired no action on the two nominations but would return to the Senate. He will probably be in his seat before the end of the week.

Senator La Follette is said to look with particular disfavor on some of the decisions made by Mr. Daniels while he was a member of the Public Utilities Commission of New Jersey.

It is believed by Senators who were involved today that both nominations will be ultimately confirmed after considerable delay.

SHERMAN LAW IS GOOD ENOUGH, SAYS F. H. LEVY

New York Lawyer Believes the Anti-Trust Bills Won't Improve It.

WASHINGTON, Feb. 3.—Felix H. Levy of New York City made a long argument on the pending anti-trust bills before the House Committee on the Judiciary today.

Mr. Levy, who represented the independent manufacturers in the tobacco trust suit, opened his statement with a tribute to the Sherman anti-trust law.

He told the committee that he had had 20 years experience divided between supporting that measure as a member of the staff of the Department of Justice, and attacking it as an attorney for alleged offenders of the law.

"I regard the Sherman law as highly beneficial to the country," he added. "I do not believe that efforts to amend it will improve the measure. I fear that their tendency would be to start new litigation similar in character to that which rendered the law ineffective and inefficient during the first ten years of the twenty-four in which it has been operative."

"As a basis for this contention I shall urge that the Sherman law in its present form is a most drastic and efficient statute and therefore does not require amendment as its substantive provisions." He concluded his praise of the Sherman law by saying that the law does not need "any amendment by way of denunciation or other similar modifications."

Mr. Levy said that the Sherman law appeared before the Committee on Interstate and Foreign Commerce to present his views regarding the interstate trade commission measures. Mr. Levy told the committee that the bill in its general terms had his approval. He took issue with the framers, however, in regard to its publicity features.

The bill, in Mr. Levy's opinion, while extending the virtual right of search to the proposed commission, should contain either a specific definition of the character of the matter decided by such search, which may be made public, or should restrict the publication of the discoveries such matter as either the President or the Attorney-General may see fit to make public.

Mr. Levy does not think the bill as drafted enforces on the interstate traders the duty of disclosure of their affairs. He told the committee that he was an earnest advocate of the Brandeis plan for uniformity of accounting by corporations.

Mr. Levy will appear before the Judiciary Committee tomorrow.

RAILROADS' REVENUE SLUMPS.

Falls Off \$28,273,114 in Last Six Months of 1913.

WASHINGTON, Feb. 3.—According to a statement of the Interstate Commerce Commission issued today the net operating revenue of the railroads of the United States showed a falling off for the six months ended December, 1913, of \$28,273,114, as compared with the six months ended with December, 1912. The net operating revenue for the six months ended with December, 1912, amounted to \$282,508,687, and for the corresponding period in 1913, \$254,235,573.

The total operating revenues for the six months ended with December, 1913, fell off \$2,801,751, as compared to the preceding year, the total in 1912 being \$1,053,627,293 and \$1,049,725,542 in 1913.

For the month of December, 1912, the total operating revenues fell off \$6,002,557, the figures for December, 1913, being \$162,161,939, as against \$168,164,497 in December, 1912.

Total operating expenses for December, 1913, were \$118,924 less than in December, 1912. The figures being for the respective periods \$115,376,447 and \$115,572,721.

There was an increase in total operating expenses for the six months ended with December, 1913, this increase amounting to \$2,141,845. The total operating expenses for the six months ended with December, 1912, amounted to \$271,118,696, as against \$269,076,741.

These statistics computed by the commission itself seem to bear out the optimism of the carriers that something is going to be done for them.

COAL TRAFFIC DEAL DISCLOSED.

Pittsburgh Company's Plan Makes Scene at Rate Hearing.

WASHINGTON, Feb. 3.—The Interstate Commerce Commission continued today its hearing of testimony in the advance rate case.

The Pittsburgh Coal Company concluded its protest today against the increase of five cents a ton in its product. It maintained that even the present rates are excessive.

It developed during the testimony today that the Pittsburgh Coal Company had entered into an agreement with the Bessemer and Lake Erie Railroad, effective next summer, whereby the company would handle the Pittsburgh Coal Company and other operators in the Pittsburgh district destined for the lakes would be diverted from the Pittsburgh and Lake Erie.

The loss of this enormous tonnage—this year it amounted to 12,261,333 tons of lake cargo coal, at 75 cents a ton—excited the railroad attorneys, particularly Hugh L. Bond of the Baltimore and Ohio Railroad and O. E. Butterfield of the Pittsburgh and Lake Erie.

Mr. Bond declared emphatically that if the agreement was not carried into effect an attempt would be made to carry it into effect. The matter would be brought officially to the attention of the Interstate Commerce Commission.

No Decision in Becker Case.

ALBANY, Feb. 3.—The Court of Appeals handed down several decisions today, but the case of Charles Becker was not included. The next decision day is next Tuesday.

AWAIT CHANCE TO OPPOSE TRUST BILLS

New York Business Men Willing to Aid Congress if Called Upon.

WIDE APPROVAL DENIED

Opinions Collected by 'The Sun' Uniformly Against Proposed Legislation.

Reports from Washington suggesting that the failure of business interests to volunteer testimony at Congressional hearings on the new trust legislation indicates general approval of the pending measures by corporation managements are not warranted according to opinions held in corporation circles in this city.

The popular idea that the country seems to be that "big business" has its headquarters here and that the views of leading bankers and business men, especially those who are members of important corporation directorates, have a direct bearing on the Washington idea.

Judging from a canvass of the local financial and business community, it is not a justification for the belief that the pending legislation to provide extreme Governmental control of trading and industrial concerns engaged in interstate commerce is substantially approved.

There is anything but a desire to have legislation passed on the theory that the silence of New York in the past has been a factor in the wisdom of the pending measures. The canvass shows that the New York business community can give a reason for not hurrying to Washington to talk to Congressional committees, but that it would not be reluctant to tell Congress what it thought or knew if the national opinion on the new trust legislation were to be heard on the subject.

Newman Erb, president of the Minneapolis and St. Louis Railroad, said:

"We are not in a position to say that we are accepting the character of proposed legislation, but rather that they are unwilling to go to Washington."

William A. Marble, president of the Merchants Association, made it clear how far from the truth is the Washington view that New York business men are uninterested in the proposed legislation and are unwilling to testify or give information. Mr. Marble was asked if he believed that the silence of New York on the new trust legislation is based on their acquiescence in it.

"Not much," he replied. "We did not get copies of the bills until last Friday. How could any one expect us to know what is in them and to announce ourselves before seeing the bills as ready to go down and express our opinion of them?"

"We are hard at work now examining these bills and we shall be heard from very definitely as soon as we have had time to digest them."

"Ten of our members will represent us at the congress of the chambers of commerce of the United States meeting in Washington next week. They will discuss these trust measures then. We shall take measures to be strongly represented in the hearings before Congress committees on these trust bills at the conference of the chambers of commerce of the United States."

"These questions are of vital importance to every merchant and manufacturer in the country. It is a mistaken notion that they are not interested and do not intend to be heard on the subject."

"The Chamber of Commerce of New York will be vigorously heard. We shall make it our business to present our views before Congress. We shall demand that at least two weeks be devoted by Congress to open hearings and hope that Congress has no intention of pushing these serious matters through without giving the country a chance to express itself."

The representatives of the Chamber of Commerce of New York who are going to Washington as its delegates to the conference of business associations, a number of whom undoubtedly will represent it before Congress committees, are as follows: William A. Marble, president of the Merchants Association; Henry R. Towne, former president; W. C. Breed, Waldo H. Marshall, president of the American Locomotive Company; George W. Neville, former president of the Cotton Exchange; Thomas H. Downing, Prof. Joseph French Johnson of New York University; William Fellows Morgan, S. C. Mead, secretary of the association, and Edward D. Page.

J. P. Morgan said:

"Any member of this firm is willing to attend Congressional hearings at Washington if Congress should indicate that it thought we had any information that would be of service in forwarding the proposed legislation affecting interstate commerce corporations."

Darwin P. Kingsley, president of the New York Life Insurance Company, said:

"If Congress considers that the company has information of value in the framing of these new laws I should be very willing to testify. I do not feel that we have information directly bearing on this legislation, but there is no lack of willingness to testify."

F. D. Underwood, president of the Erie Railroad, said:

"I do not consider that silence of New York business men on this proposed legislation is acquiescence in it. I have no opinion on the state of mind of New York men as to why they have not appeared. I would say, however, that I should be willing to go to Washington to testify at a Congressional hearing on this legislation if Congress should indicate that it wanted to know what information or ideas business men had on the subject."

Alexander J. Hemphill, president of the Guaranty Trust Company, said:

"I think that the silence of New York business men, financiers and railroad men in the matter indicates dissent rather than assent, but that they feel that protest will be of no avail. When New Yorkers go to Washington their presence is looked upon as a pernicious lobby, and when they stay away their absence is wondered at. The less legislation we have the better, for we already have too many laws. The Sherman law as it is now interpreted would be far clearer if left as it is instead of making further anti-trust laws which in themselves will have to be interpreted and will require the making of new laws to that end."

"The plan for the regulation of the issuance of railroad securities by a commission is very undesirable, but it is preferred to the route of having to obtain permission to issue securities from every State through which they pass."

"As for going to Washington to testify I have always been willing to do so whenever summoned."

J. Walter Earle, president of the Remington Typewriter Company, said:

"I should be glad to appear before the committee of Congress in these matters and I believe most business men would be if they thought their services could be of use. Many business men can't help feeling that committees of Congress have held a hostile attitude toward them when appearing to give testimony. This impression, whether well founded or not, appears to have been gained from the tariff hearings and others. If business men felt that they would be allowed time enough to complete their ideas in testifying and that the committees of Congress

would show a disposition to listen to what they said, they would without doubt be very glad to appear and give information."

Alvin W. Kreech, president of the Equitable Trust Company, said:

"I do not feel that the lack of protest on the part of New York men is an indication of agreement or acquiescence in all of the proposed anti-trust measures. I am willing to appear and testify, and I consider it my duty to do so if Congress considers that I have information bearing on these matters that it wants."

Irving T. Bush, president of the Bush Terminal Company, said that although his business did not come within the direct scope of proposed legislation he would be willing to appear and testify if Congressional committees considered that he had information of value to them in framing the legislation. He said:

"Public opinion is undoubtedly suspicious of New York. It is idle to discuss whether this should be so. It is so and must be reckoned with. Much of this feeling is unfair, but a part of it is due to things which have been done in New York, not always by New Yorkers, of which fair minded people in other parts of the country are justly proud. I think President Wilson will be unfairly influenced by this state of public opinion, but he knows that any legislation to be permanent or successful must have public confidence behind it."

"National prosperity depends first of all upon business certainty. Business can adjust itself to anything but uncertainty. Tariff and currency uncertainty have been removed and President Wilson now suggests that we get together and lay down definite methods for the conduct of interstate business."

"New York will profit more than any other city by national prosperity. It can afford to be fair in its judgment, and it is no justification for the belief that the pending legislation to provide extreme Governmental control of trading and industrial concerns engaged in interstate commerce is substantially approved."

There is anything but a desire to have legislation passed on the theory that the silence of New York in the past has been a factor in the wisdom of the pending measures. The canvass shows that the New York business community can give a reason for not hurrying to Washington to talk to Congressional committees, but that it would not be reluctant to tell Congress what it thought or knew if the national opinion on the new trust legislation were to be heard on the subject.

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until personally invited. They feel that whatever is said by New York business men, railroad men and heads of industrial companies is construed by Washington as coming from Wall Street. As Wall Street is not in favor in Washington they fear that they will meet with a rebuff or at least will not be very cordially received.

"It is a pity, for there are many men here who could shed an interesting and instructive light on the various matters which would be of great help to the committees in drafting their bills. Personally I would not feel like going down to Washington to testify before any of the committees unless personally requested to do so."

Perceval S. Hill, president of the American Tobacco Company, said:

"If I were asked I would be very glad to give any information wanted. There is no desire on the part of any one in this company to withhold anything."

SHE SOLD NO STOCK IN RANCH.

Mrs. Du Rand Promoted Mine Operating Syndicate Nearby.

Mrs. Rex Du Rand, whose suit for the appointment of a receiver of the Belt Mountain Ranch, promoted by her husband, Courtland E. Du Rand, was reported in THE SUN on February 2, sold no stock in the ranch company, although the headline of the article indicated that she had done so.

The enterprise Mrs. Du Rand promoted was a syndicate for the operation of mining property adjacent to the ranch. She knew nothing about the ranch scheme until three years after the company was formed. Her present suit to bring about a reorganization was filed with the approval of the company's officers.

LAW TO JUMP OFF BRIDGE AGAIN

Kracke Refuses Permission and Will Try to Stop Movie Act.

Rodman Law, who makes a living by jumping off things for the movies, applied to Bridge Commissioner F. J. H. Kracke yesterday for permission to jump off the Brooklyn Bridge. He explained that he intended to make the jump whether he had permission or not, but that it would be a less hurried and therefore less dangerous undertaking if he had official permission.

The Bridge Commissioner refused, and said he would do all he could to prevent the jump. Kracke did not jump yesterday. He already has jumped off the Brooklyn Bridge twice and another picture performer has a similar record.

Saves 15 Per Cent of Its Cost Every Year

THIS new light weight Lozier Six is a \$4000 or \$5000 car—in everything but the price; the price is only \$3250.

We reduced price—not quality. And we reduced weight—not strength.

You save \$1000, no less, in first cost.

You save around \$500 a year in upkeep.

The Lozier "Light Six" is a 15% investment; it returns 15% of the price every year in money saved. Around \$500 a year it saves you in "gas," oil, tires and repairs. Several hundreds of pounds scientific reduction in the weight saves you several hundreds of dollars yearly.

\$3250 with a yearly dividend of \$500 is a fine investment—very, very fine indeed, when you consider the fact that you saved \$1000 when you bought your car.

We brought out a much lighter car, which the public wanted; production arose, "overhead" decreased, and down came the price.

This car among other cars is what the trained athlete is among other men, or the conditioned race horse is among other horses. It carries no superfluous weight. It is light on its feet, gets away wonderfully fast, shows great snap, flexibility, power and speed on the roadway.

Wealthy men who love luxury are not all spendthrifts. Often those who give thousands to charity are economical in the little things. Such men are among those demanding economy in operating their automobiles.

WANTS NEW HAVEN INQUIRY REOPENED

Senator Norris Submits Motion for Placing of Individual Responsibility.

'TO AVERT FUTURE THEFTS'

Seeks to Recover Funds Lost to Railroad Company by Mismanagement.

WASHINGTON, Feb. 3.—A resolution directing the Interstate Commerce Commission to reopen its investigation of the affairs of the New Haven railroad with a view of fixing individual responsibility of mismanagement of the affairs of that railroad was introduced in the Senate today by Senator George W. Norris of Nebraska.

The resolution was prepared a few weeks ago, but its introduction was deferred by the Senator from Nebraska because he got the impression in some way that the Attorney General was preparing to bring about criminal prosecution of certain individuals believed to be responsible for looting the road. As there appears to be no immediate prospect of criminal proceedings, Senator Norris decided not to withhold his resolution any longer. He submitted it today, asking that it go over until tomorrow. In asking that it go over until tomorrow, Senator Norris explained that he was in the Senate tomorrow, and he would be in the Senate tomorrow, and he would be in the Senate tomorrow.

The resolution follows:

"That the Interstate Commerce Commission be required to reopen its examination of the affairs of the New York, New Haven and Hartford Railroad Company and make further investigation into the financial transactions of said company, with a view of ascertaining:

"First, what became of the funds of said company wrongfully invested at

fictitious values in the various enterprises and corporations mentioned in the opinion of the Interstate Commerce Commission submitted May 20, 1913, and decided on June 20.

"Second, whether the person or persons authorizing such investment of the funds of said company and the person or persons receiving the benefit therefrom are liable to punishment under existing law.

"Third, whether under existing law such funds so invested can be recovered on behalf of the stockholders of said company.

"Fourth, what legislation, if any, is necessary to prevent the recurrence of similar transactions."

Senator Norris, discussing his resolution, said: